

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

**MOHAMID A. HAMID,
APPELLANT
vs.**

**KANSAS CITY CLUB,
RESPONDENT**

DOCKET NUMBER WD70598

DATE: SEPTEMBER 22, 2009

Appeal from:

Jackson County Circuit Court
The Honorable Robert M. Schieber, Judge

Appellate Judges:

Division Two: Victor C. Howard, P.J., Joseph M. Ellis and Mark D. Pfeiffer, JJ.

Attorneys:

David B. Mandelbaum, for Appellant

Sara E. Welch, for Respondent

**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS**

WESTERN DISTRICT

MOHAMID A. HAMID, APPELLANT
v.
KANSAS CITY CLUB, RESPONDENT

WD70598

Jackson County, Missouri

Before Division Two Judges: Victor C. Howard, P.J., Joseph M. Ellis and Mark D. Pfeiffer, JJ.

Mohamid Hamid filed a petition alleging that his employer, Kansas City Club, wrongfully discharged him in violation of public policy. Mr. Hamid claimed that his employment was terminated because he became subject to a child support income withholding order. Kansas City Club filed a motion to dismiss for failure to state a claim, which was granted by the trial court. Mr. Hamid appeals.

REVERSED.

Division Two holds:

Because section 454.505.10 sets forth a public policy intended to deter the discharge of employees due to the issuance of income withholding orders for child support payments, and because an employee subject to such an order must participate in the act of paying child support, Mr. Hamid's petition stated a common law claim for wrongful discharge in violation of a clear mandate of public policy.

Opinion by: Victor C. Howard, Presiding Judge

September 22, 2009

<p>This summary is <i>UNOFFICIAL</i> and should not be quoted or cited.</p>
